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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/519,285

10/26/2005

Daniel E. Evanicky

PURE-P010

9085

41066

7590

12/10/2010

MURABITO, HAO & BARNES, LLP  
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EXAMINER

ALMEIDA, CORY A

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

12/10/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/519,285	<b>Applicant(s)</b> EVANICKY, DANIEL E.	
	<b>Examiner</b> CORY A. ALMEIDA	<b>Art Unit</b> 2629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 59-81 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 59-81 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Claims 1-58 are cancelled.

Claims 59-81 are new.

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/19/2010 has been entered.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 39-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Suyama, US-6525699.

4. In regards to claim 67, associated method claim 59, and associated means for claim 74, Reamey discloses a first display (Fig. 3, 102) operable to display a first image (Fig. 3, 106) in a first region of said first display (Fig. 3, 106), wherein said first region comprises an area less than the entire area of said first display (Fig. 3), and wherein said first display is operable to display a plurality of colors (Col. 14, 12-17); and a

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second display (Fig. 3, 101) operable to dynamically adjust a second region (Fig. 3, 105) of said second display for modifying said display of said first image in accordance with a parameter (Col. 2, 39-50), wherein said first and second displays overlap (Fig. 3), wherein said second display is operable to display a plurality of colors (Col. 14, 12-17), and wherein a position of said second region of said second display is aligned with a position of said first region of said first display to selectively control an amount of said light associated with said first region (Col. 2, 51-64).

5. In regards to claim 68, associated method claim 60, and associated means claim 75, Suyama discloses said image characteristic is selected from a group consisting of a brightness, a contrast, a color, a hue, a color temperature, and a gamma response (Col. 2, 51 – 64).

6. In regards to method claim 61 and associated means claim 76, Suyama discloses displaying said image on said first display screen (Col. 2, 39-50).

7. In regards to claim 69, associated method claim 62, and associated means for claim 77, Suyama disclose said first display screen is further operable to display a second image in a third region of said first display screen, wherein said third region comprises an area less than the entire area of said first display screen (Suyama's panels can display multiple images in multiple regions and areas of the screen), wherein said second display is further operable to adjust a fourth of said second display screen for modifying said second image in accordance with a second image characteristic (Col. 2, 39 – 64), wherein said fourth region of said second display screen corresponds to said third region of said first display screen (Col. 2, 39 – 64, the third and fourth image

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regions would line up as the displays are stacked and the pixels overlap), wherein said image characteristic and said second image characteristic are different (the panels are capable of displaying different images in different shades, sizes, etc...).

8. In regards to claims 70, associated method claim 63, and associated means for claim 78, Suyama discloses said second display screen is operable to adjust contrast of said image within said region while substantially maintaining net brightness associated with other regions of said first display (Col. 2, 39-64).

9. In regards to claim 71, associated method claim 64, and associated means for claim 79, Suyama discloses wherein each of said first and second displays includes a respective liquid crystal display (Col. 10, 49-54).

10. In regards to claim 72, associated method claim 65, and associated means for claim 80, Suyama discloses a component operable to generate light, and wherein said component operable to generate light is separate from said first display and said second display (Col.10, 49-54 discloses the planes can be liquid crystal displays a liquid crystal display requires a light source such as a backlight as LCD crystals do not generate there own light).

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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12. Claims 66, 73, and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suyama, US-6525699.

13. In regards to claim 73, associated method claim 66, and associated means for claim 81, Suyama discloses changing the brightness parameter according to a formula.

Suyama does not disclose expressly wherein said parameter is accessed from a lookup table.

However, it would have been obvious to one of ordinary skill in the art that the formal Suyama discloses could be implemented in a lookup table.

The motivation for doing so would have been to save processing power by having the formula previously computed.

Therefore, it would have been obvious Suyama discloses the invention of claims 66, 73, and 81.

### ***Response to Arguments***

14. Applicant's arguments with respect to claims 59-81 have been considered but are moot in view of the new ground(s) of rejection, as presented above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CORY A. ALMEIDA whose telephone number is (571) 270-3143. The examiner can normally be reached on Monday through Friday 8AM to 4PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on 571-272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CA/

12/08/2010

/Kevin M Nguyen/

Primary Examiner, Art Unit 2629